

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>V.</b>	)	<b>CASE NO: 1:07-CR-60-WKW</b>
	)	
<b>JAMES ALLAN GIBSON</b>	)	

**UNOPPOSED MOTION TO CONTINUE TRIAL**

**NOW COMES** the Defendant, by and through the undersigned counsel and pursuant to 18 U.S.C. § 3161 (h), and respectfully moves this Court to move this matter for trial from the November 5, 2007 trial docket.

In support of this Motion, defendant would state that a continuance is needed, based on the following circumstances:

1. Counsel for the prosecution does not oppose this motion.
2. The Indictment in this case charges Mr. Gibson with being a felon in possession of a firearm, on an occasion in January 2007 in Dale County, Alabama.
3. The parties have reached a preliminary plea agreement.
4. Due to extraordinary family circumstances, specifically the terminal illness of his mother, Mr. Gibson is not able to proceed knowingly and voluntarily with the plea at the present time.

**WHEREFORE**, defendant respectfully requests that this Motion be granted and that this case be continued to the Court's next trial term..

Respectfully submitted,

**s/Christine A. Freeman**  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 29, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Matthew Shepherd, Assistant United States Attorney, 131 Clayton Street, Montgomery, AL 36101.

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